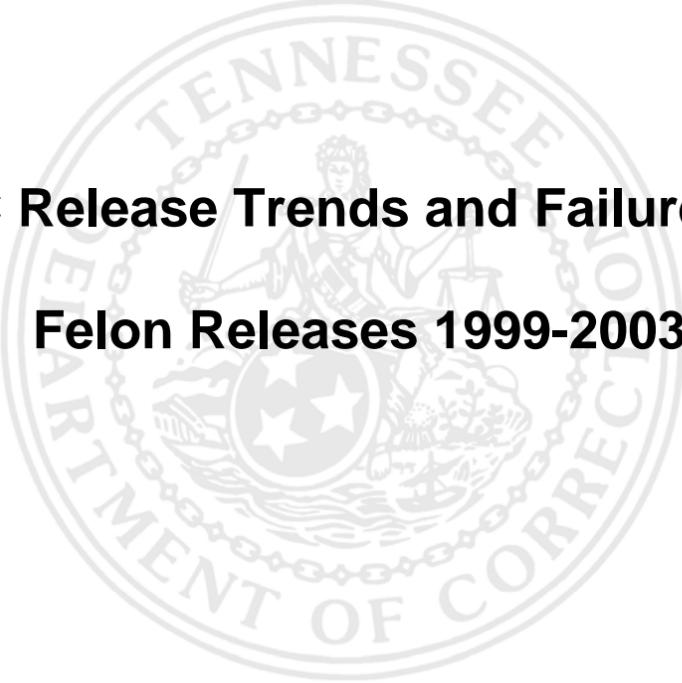


**Tennessee Department of Correction**

**Research Brief Update**



**TDOC Release Trends and Failure Rates  
Felon Releases 1999-2003**

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**Compiled by TDOC Division of Policy, Planning, & Research**

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## Executive Summary

In March 2001, a preliminary analysis of the recidivism rates for felons released from the Tennessee Department of Correction jurisdiction was presented by James Wilson, former director of Policy, Planning, and Research (PP&R). Dr. Wilson's report focused on the type and location of releases since January 1993. This report updates the 2001 report and goes a step further to include offense data. The offenses are broken into four categories: person, property, societal, and other offenses. The data in this report cover January 1999 through December 2003 and include any felon released from TDOC jurisdiction (local jails and TDOC facilities).

Recidivism is defined as a 'permanent' return to incarceration in any TDOC facility or local jail after being released from a TDOC facility or local jail. 'Permanent' movements are parole revocations, new convictions, and court-ordered returns to facilities, as opposed to a new arrest which may only result in a temporary incarceration. **Care should be taken in any attempt to compare or contrast the differences in the data. There is nothing in the current report that speaks to inferences of causality, or allows for comparisons of that nature.**

- ◆ In FY 2003-04, there were 13,235 felony offenders released from Tennessee prisons and jails. More than half (55%) of the persons released were from local jails.
- ◆ The most recent recidivism rates for felons released in Tennessee are:
  - ◆ 21% 1-year failure rate: of 12,977 releases in 2002, 2,696 returned within one year;
  - ◆ 35% 2-year failure rate: of 12,446 releases in 2001, 4,325 returned within two years;
  - ◆ 42% 3-year failure rate: of 13,415 releases in 2000, 5,634 returned within three years.
- ◆ As was seen in the 2001 report, recidivism rates vary dramatically by type of release.
  - ◆ Felons released to parole:
    - ◆ 23% 1-year failure rate: of 2,962 releases in 2002, 686 returned within one year;
    - ◆ 41% 2-year failure rate: of 3,193 releases in 2001, 1,314 returned within two years;
    - ◆ 50% 3-year failure rate: of 3,998 releases in 2000, 1,984 returned within three years.
  - ◆ Felons released to probation:
    - ◆ 30% 1-year failure rate: of 5,607 releases in 2002, 1,674 returned within one year;
    - ◆ 44% 2-year failure rate: of 5,228 releases in 2001, 2,289 returned within two years;
    - ◆ 49% 3-year failure rate: of 5,436 releases in 2000, 2,684 returned within three years.
  - ◆ Felons released to expiration of sentence:
    - ◆ 8% 1-year failure rate: of 4,408 releases in 2002, 336 returned within one year;
    - ◆ 18% 2-year failure rate: of 4,025 releases in 2001, 722 returned within two years;
    - ◆ 24% 3-year failure rate: of 3,981 releases in 2000, 966 returned within three years.
- ◆ The difference in the rate of return between persons released from local jails and those released from TDOC facilities is minor. However, felons who expire their sentences and are released from a TDOC facility have a lower failure rate than felons who expire their sentence in a local jail. This may be related to the demographics of the population rather than the characteristics of the releasing institution, as local jail releases tend to be younger and are more likely to have been convicted of property or drug offenses.

- ◆ Recidivism rates vary by type of conviction offense:
  - ◆ Person offense
    - ◆ 14% 1-year failure rate: of 2,393 releases in 2002, 338 returned within one year;
    - ◆ 24% 2-year failure rate: of 2,213 releases in 2001, 542 returned within two years;
    - ◆ 32% 3-year failure rate: of 2,319 releases in 2000, 750 returned within three years.
  - ◆ Property offense
    - ◆ 22% 1-year failure rate: of 5,960 releases in 2002, 1,297 returned within one year;
    - ◆ 37% 2-year failure rate: of 5,729 releases in 2001, 2,119 returned within two years;
    - ◆ 43% 3-year failure rate: of 6,154 releases in 2000, 2,629 returned within three years.
  - ◆ Societal offense
    - ◆ 18% 1-year failure rate: of 3,190 releases in 2002, 581 returned within one year;
    - ◆ 33% 2-year failure rate: of 3,121 releases in 2001, 1,021 returned within two years;
    - ◆ 41% 3-year failure rate: of 3,522 releases in 2000, 1,440 returned within three years.
  - ◆ Other offenses
    - ◆ 19% 1-year failure rate: of 1,367 releases in 2002, 251 returned within one year;
    - ◆ 30% 2-year failure rate: of 1,334 releases in 2001, 403 returned within two years;
    - ◆ 38% 3-year failure rate: of 1,367 releases in 2000, 524 returned within three years.
- ◆ After an offender is released from TDOC jurisdiction, it takes an average of about fifteen months for a return to criminal activity to occur. Usually this amount of time is seen regardless of the location or type of release with the following exceptions: (1) if an offender is released to probation, it generally takes thirteen months before the offender is re-arrested for illegal activity; and (2) if an offender has expired their sentence, normally it takes longer, over eighteen months, for the offender to be arrested for unlawful activity again.

\*For the purposes of this report, primary offense is used.

## Introduction

The success of released offenders and their readmission to the criminal justice system is of interest and concern to the Tennessee Department of Correction (TDOC), the criminal justice system, legislators, and society. This is most often expressed in research circles as a study of “recidivism”. Nationally, studies have been completed by criminal justice agencies; however no standard measure of recidivism has been determined. The following is a list of some of the studies on recidivism in Tennessee:

- In January 1995, “The Durational and Recidivism Study”, conducted by the Tennessee Sentencing Commission and the Tennessee Bureau of Investigation’s (TBI) Statistical Analysis Center was completed. A sample of 3,793 offenders released from TDOC facilities as well as county and municipal jails during fiscal years 1989-1990 and 1990-1991 was tracked over a two year period to determine if the offenders were recommitted or rearrested for either felony or misdemeanor offenses.
- In September 1996, TDOC Planning and Research produced “Results of the 1996 Recidivism Survey”, which served as a preliminary step in devising a longitudinal recidivism project for the State of Tennessee. Surveys were sent out to forty-eight states in the United States to determine how and if other states were implementing recidivism studies.
- In 1997, TBI conducted a recidivism study entitled “A Study of Criminal Habits: Recidivism and Re-arrest Rates of Tennessee Offenders”. TDOC supplied a list of releases from July 1, 1989 through June 30, 1991. A stratified sample of 25% of inmates (3,791) released during this period was selected. The records of the offenders were examined during a four-year period to determine if an offender was recommitted (committed a new conviction or recommitted as a result of a technical violation) or was rearrested (arrested for a new offense, but not recommitted) following his/her release.
- In March 2001, TDOC’s Policy, Planning & Research Division (PP&R) compiled a recidivism research brief entitled “TDOC Release Trends and Failure Rates Felon Releases 1993-1999”. This report summarized the recidivism rates for felons released from TDOC jurisdiction between 1993-1999 and presented one, two, and three-year failure rates from time of release.

The study by PP&R in March 2001 was the “initial step” to inform legislators, TDOC, and the public about recidivism in the State of Tennessee. In this brief, recidivism was defined as a “permanent” return to incarceration in any TDOC facility or local jail after being released from a TDOC facility or a local jail. The original brief focused on the different release types (releases to probation, parole, and those released at the end of their sentence or expiration) and type of facility (local jail vs. TDOC facility). The brief looked at trends in the failure rate over time, which is an important measure of recidivism. This report uses the same definition of recidivism and examines this outcome measure by release type, location, and primary offense. By understanding factors and/or patterns, department resources and prison-based programs can be implemented to better serve the offenders and hopefully aid and/or deter the offender from being rearrested or recommitted.

## Data and Methods

The data are drawn from the Tennessee Offender Management Information System (TOMIS) database. In July 1992, the Department of Correction completed the transition to the current database for tracking offenders and offender information. Data for this research brief was drawn from TOMIS in January 2005. There is typically a three to four month period for the data to “settle”. Delays in the processing of paperwork, such as illegal judgement orders, sentence amendments, etc., all contribute to delays in getting information into the TOMIS system on a timely basis.

The original brief’s period of analysis covered January 1993 through December 1999, with 72,595 releases system-wide. Failure was tracked through December 1999; hence, giving offenders released in December 1998 at least one full year for follow-up. The current analysis covers January 1999 through December 2003 (with 64,086 releases system-wide) with failure tracked through December 2003,

thereby, providing at least one full year follow-up for those offenders released in December 2002. The data in the original brief for calendar years 1993-1998 will not be updated in this brief. [Data for calendar year 1999 will be updated and may be different from the numbers in the original research brief due to data settling issues.]

RECIDIVISM is defined as a “permanent” return to incarceration in any TDOC facility or local jail after being released from a TDOC facility or local jail. It is important to note that the focus is on releases and not the individual felons. For example, an offender could be released in June of 1998 and incarcerated again on a technical violation in May of 1999; released again in June of 2001 and recommitted on a new offense in May 2002 and released again in 2003. In this case, there are three separate releases and two instances of failure-all related to a single individual.

There are both limitations and advantages to using recommitment as the measure of recidivism or failure. Since we use re-incarceration as our measure of recidivism, failure rates reported here do not include released offenders who may have been convicted of a new crime and sentenced to probation or other community supervision. Re-incarceration may also understate the actual return to criminal behavior. Persons returning to criminal activities, may not be rearrested; may be re-arrested but not be re-convicted; may be re-convicted but not re-incarcerated. It is also true that no record is available for released felons who leave the state and are re-incarcerated in another jurisdiction. In addition, persons who are re-incarcerated may not be imprisoned for a new criminal offense. Preliminary data suggests that a substantial proportion of all re-incarcerations are due to a technical violation(s) of the conditions of an offender’s parole or probation terms.

This report presents one, two, and three-year failure rates from time of release. We do this for several reasons.

1. The one-year failure rate provides an understanding of the general trend in a minimum time frame, but because peak failure typically occurs between eight and fifteen months following release (when recommitment is the measure of recidivism), the one year rate may be insufficient for understanding the overall trend. In this case, the December 2002 release cohort is the last release cohort that can be followed in terms of data accuracy for return to custody using a one-year failure rate.
  2. The two-year rate has the advantage of incorporating the peak period of failure and yet being a brief enough period to allow comparisons without having to follow a cohort for a full three years or longer.
- Most recidivism studies also find that the hazard for failure uniformly decreases after the peak rate occurs sometime within the eight to fifteen month period. Essentially, those who are most likely to return to incarceration tend to fail early after release, (i.e., within fifteen months), and those who continue to remain in the community have a lower probability of failure as time progresses. Thus, failure rates between years one and two may often be fairly similar, but by the third year after release, data typically indicate much lower rates of return.

The 2001 return rate research brief was the first step towards understanding the pattern of recidivism for Tennessee felons. This current brief is an update of the 2001 brief, and like the earlier report, ***this report does not address the factors that influence the failure rate.*** This report examines how rates of recidivism vary among release types and sub-populations of offenders. Evaluative research that links participation in specific programs, such as drug treatment, to recidivism rates; as well as identifying the protective and risk factors that affect recidivism in TN will be the focus of future PP&R research briefs.

### *Release Trends by Location and Type*

Table 1 illustrates the changes that have occurred in the release of felons by release type and location. From 1999 to 2003, the total number of releases saw an increase of approximately 9.5%. However, the trends emphasized in the original research brief are still worth noting:

- ◆ On an annual basis, more offenders were released from local jails than from TDOC facilities. Felony offenders sentenced to serve their time in local jails typically have shorter sentences than those sentenced to a TDOC institution:
  - ◆ In 1999, the number of felony releases from local jails (7,938) was 48% higher than from TDOC institutions (4,104).
  - ◆ In 2003, the number of felony releases from local jails (8,065) was 36% higher than from TDOC institutions (5,132).
- ◆ Probation as an alternative sanction to incarceration, has shown more releases from local jails than from TDOC facilities:
  - ◆ In 1999, there were 4,439 probation releases from local jails and only 416 probation releases from TDOC institutions.
  - ◆ In 2003, there were 4,932 probation releases from local jails and only 661 probation releases from TDOC institutions. Probation releases from TDOC are typically offenders serving a determinate sentence; offenders who successfully complete the boot camp program; or those who complete the probation technical violator program.
- ◆ Releases to parole continued to fluctuate over the time period. However, the total number of parolees released from TDOC was still more than double the number released from local jails:
  - ◆ By the end of 1999, TDOC institutions released 2,206 parolees, while only 995 parolees were released from local jails.
  - ◆ By the end of 2003, TDOC institutions released 2,440 parolees, while only 630 parolees were released from local jails.
- ◆ Releases to expiration increased from 1993 to 1999 and have continued to increase:
  - ◆ From 1993 to 1999, the number of statewide releases due to expiration of sentence increased by 151%.
  - ◆ From 1999 to 2003, the number of statewide releases due to expiration of sentence increased by 14%.
  - ◆ From 1999 to 2003, the number of TDOC releases due to expiration of sentence increased by 37%.
  - ◆ However, the number of releases from local jails remained constant from 1999 to 2003:
    - ◆ 2,504 was the total number released in 1999.
    - ◆ 2,503 was the total number released in 2003.
- ◆ While parole releases decreased by 28% between 1993 and 1999, from 1999-2003, there was only a 4% decrease in parole releases.
- ◆ In addition, from 1993-1999, probation releases increased by a full 53%, however, probation releases only increased 15% from 1999 to 2003.
- ◆ In the 2001 brief, releases from local jail (37.3%) increased at twice the rate as those from TDOC facilities (17.4%). However, from 1999 to 2003, there was a significant change in the trend:
  - ◆ TDOC releases *increased by 25%*.
  - ◆ But, local jail releases only increased by 2%.
- ◆ From 1999-2003, probation releases were still the largest proportion of releases from local jails. Additionally, the number of parolees being released from local jails declined during this same period.
- ◆ In 1999, parolees were the largest group released from TDOC facilities (54%). In fact, the number of parolee releases was a larger proportion of all TDOC releases than both probation and expiration releases combined (46%).

- ◆ In 2003, the parolee group remains the largest proportion (48%) of releases from TDOC facilities. However, the proportion of releases to expiration (40%) has increased dramatically. Since a larger number of offenders expire their sentences in TDOC facilities, the fiscal implications for TDOC and the State of Tennessee are considerable.

**Table 1: Release Type by Release Location**  
**January 1993-December 2003**

Calendar Year		Release Type					
		Total	Parole	% of Total	Probation	% of Total	Expiration
<b>System-wide Releases</b>							
Original data	1993	8,909	4,567	51%	2,757	31%	1,585
	1994	8,073	3,011	37%	2,922	36%	2,140
	1995	9,673	3,463	36%	3,518	36%	2,692
	1996	11,283	4,036	36%	4,160	37%	3,087
	1997	11,723	4,197	36%	4,306	37%	3,220
	1998	11,418	3,221	28%	4,421	39%	3,776
Update	1999	12,050	3,207	27%	4,857	40%	3,986
	2000	13,415	3,998	30%	5,436	41%	3,981
	2001	12,446	3,193	26%	5,228	42%	4,025
	2002	12,977	2,962	23%	5,607	43%	4,408
	2003	13,198	3,070	23%	5,593	42%	4,535
<b>TDOC Releases</b>							
Original data	1993	3,591	2,506	70%	454	13%	604
	1994	2,751	1,605	58%	420	15%	713
	1995	3,242	2,012	62%	383	12%	826
	1996	3,832	2,425	63%	383	10%	985
	1997	4,374	2,740	63%	486	11%	1,118
	1998	4,026	2,130	53%	485	12%	1,361
Update	1999	4,104	2,206	54%	416	10%	1,482
	2000	4,861	2,811	58%	502	10%	1,548
	2001	4,597	2,394	52%	565	12%	1,638
	2002	4,522	2,182	48%	516	11%	1,824
	2003	5,132	2,440	48%	661	13%	2,031
<b>Local Jail Releases</b>							
Original data	1993	5,318	2,034	38%	2,303	43%	981
	1994	5,322	1,393	26%	2,502	47%	1,427
	1995	6,431	1,430	22%	3,135	49%	1,866
	1996	7,451	1,572	21%	3,777	51%	2,102
	1997	7,349	1,427	19%	3,820	52%	2,102
	1998	7,392	1,041	14%	3,936	53%	2,415
Update	1999	7,938	995	13%	4,439	56%	2,504
	2000	8,550	1,186	14%	4,932	58%	2,432
	2001	7,849	799	10%	4,663	59%	2,387
	2002	8,451	779	9%	5,088	60%	2,584
	2003	8,065	630	8%	4,932	61%	2,503

### *Release Trends by Offense and Release Location*

While the original 2001 research brief did not include offense data for felon releases, it is included in this examination of felon releases during calendar years (CY) 1999 through 2003. For ease of comparison, the offenses have been grouped into four categories:

1. person offenses,
2. property offenses,
3. societal offenses, and
4. all other offenses

This categorization is based upon the Tennessee Incident Based Reporting System (TIBRS) that was established by TBI and is a logical and consistent manner of categorizing offenses. The most serious offense or primary offense is used to determine the category for felon releases when an offender has been convicted of multiple offenses. To select this offense, the offenses are ranked according to severity of felony class, type of crime, sentence-imposed date, and length of sentence. Table 2 lists the offenses that comprise each category according to TIBRS.

**Table 2: Major Offense Classification of TOMIS Offense Codes by TIBRS**

<b>Person Offenses</b>	
1. Homicide	
Murder/Non-negligent Manslaughter	
Negligent Manslaughter	
2. Kidnapping	
3. Sex Offenses	
Forcible	
Non-forcible	
4. Assault	
Simple Assault	
Aggravated Assault	
<b>Property Offenses</b>	
1. Arson	
2. Burglary	
3. Forgery/Fraud	
4. Larceny/Theft	
5. Robbery	*Bad Checks, Bribery, Embezzlement, Extortion, Motor Vehicle Theft, Vandalism/Destruction
Robbery	
Aggravated Robbery	
6. All Other Property*	
<b>Societal Offenses</b>	
1. Drugs/Narcotics	
Cocaine Offenses	
All Other Drug Offenses	
2. Vehicular Homicide/DUI	
Vehicular Homicide	
All Other Vehicular	
<b>All Other Offenses</b>	
1. Conspiracy/Solicitation/Facilitation Person	
2. Conspiracy/Solicitation/Facilitation Property	
3. Conspiracy/Solicitation/Facilitation Societal	
4. Escape	
5. All Other	

Table 3a presents the data for primary offense by release location from CY 1999 to CY 2003.

- ◆ Regardless of release location, property offenses were consistently the most common type of offense among releases. For local jail releases, societal offenses were the second most common type of offense. In comparison, person offenses were almost as common as societal offenses among TDOC releases for each year examined.
- ◆ TDOC releases consistently show an increase in any of the offense categories when comparing CY 1999 to CY 2003. However, local jail releases showed a slight decrease for societal and other offense categories in a comparison of CY 1999 to CY 2003.

**Table 3a: Release Primary Offense by Release Location  
January 1999-December 2003**

Calendar Year	Offense										
	Total	Person	% of Total	Property	% of Total	Societal	% of Total	Other	% of Total	Unknown	% of Total
<b>System-wide Releases</b>											
1999	12,050	2,095	17.4%	5,504	45.7%	3,234	26.8%	1,183	9.8%	34	0.3%
2000	13,415	2,317	17.3%	6,144	45.8%	3,524	26.3%	1,371	10.2%	59	0.4%
2001	12,446	2,213	17.8%	5,738	46.1%	3,116	25.0%	1,323	10.6%	56	0.4%
2002	12,977	2,407	18.5%	5,971	46.0%	3,204	24.7%	1,335	10.3%	60	0.5%
2003	13,198	2,398	18.2%	6,092	46.2%	3,358	25.4%	1,305	9.9%	45	0.3%
<b>TDOC Releases</b>											
1999	4,104	880	21.4%	1,988	48.4%	1,036	25.2%	199	4.8%	1	0.0%
2000	4,861	1,018	20.9%	2,396	49.3%	1,211	24.9%	228	4.7%	8	0.2%
2001	4,597	1,065	23.2%	2,198	47.8%	1,071	23.3%	250	5.4%	13	0.3%
2002	4,522	1,069	23.6%	2,141	47.3%	1,061	23.5%	247	5.5%	4	0.1%
2003	5,132	1,157	22.5%	2,352	45.8%	1,291	25.2%	322	6.3%	10	0.2%
<b>Local Jail Releases</b>											
1999	7,938	1,213	15.3%	3,511	44.2%	2,197	27.7%	984	12.4%	33	0.4%
2000	8,550	1,297	15.2%	3,746	43.8%	2,313	27.1%	1,143	13.4%	51	0.6%
2001	7,849	1,148	14.6%	3,540	45.1%	2,045	26.1%	1,073	13.7%	43	0.5%
2002	8,451	1,337	15.8%	3,828	45.3%	2,142	25.3%	1,088	12.9%	56	0.7%
2003	8,065	1,240	15.4%	3,740	46.4%	2,067	25.6%	983	12.2%	35	0.4%

Primary offense data by release type and release location from CY1999 to CY 2003 are given in Tables 3b-3d. The trends observed for the overall releases are still relevant with a few exceptions:

- ◆ Property offenses and societal offenses are the most common offenses for any type of release. One exception is the releases to expiration from TDOC facilities where person offenses join property offenses as the most common.
- ◆ Variability in the number of releases is common from one calendar to the next, but a notable decrease can be seen for societal offenses in local jails.
- ◆ The only increase was seen in releases from probation for societal offenses regardless of release location.

**Table 3b: Release Primary Offense by Release Location**  
**January 1999-December 2003**

Calendar Year	Offense-Parole Releases										
	Total	Person	% of Total	Property	% of Total	Societal	% of Total	Other	% of Total	Missing	% of Total
<b>System-wide Releases</b>											
1999	3,207	404	12.6%	1,631	50.9%	1,043	32.5%	128	4.0%	1	0.0%
2000	3,998	521	13.0%	2,025	50.7%	1,262	31.6%	189	4.7%	1	0.0%
2001	3,193	473	14.8%	1,613	50.5%	947	29.7%	155	4.9%	5	0.2%
2002	2,962	422	14.2%	1,468	49.6%	948	32.0%	122	4.1%	2	0.1%
2003	3,070	466	15.2%	1,494	48.7%	947	30.8%	163	5.3%	0	0.0%
<b>TDOC Releases</b>											
1999	2,206	340	15.4%	1,156	52.4%	629	28.5%	81	3.7%	0	0.0%
2000	2,811	424	15.1%	1,503	53.5%	769	27.4%	115	4.1%	0	0.0%
2001	2,394	421	17.6%	1,233	51.5%	632	26.4%	104	4.3%	4	0.2%
2002	2,182	372	17.0%	1,119	51.3%	626	28.7%	65	3.0%	0	0.0%
2003	2,440	414	17.0%	1,205	49.4%	701	28.7%	120	4.9%	0	0.0%
<b>Local Jail Releases</b>											
1999	995	62	6.2%	472	47.4%	413	41.5%	47	4.7%	1	0.1%
2000	1,186	96	8.1%	522	44.0%	493	41.6%	74	6.2%	1	0.1%
2001	799	52	6.5%	380	47.6%	315	39.4%	51	6.4%	1	0.1%
2002	779	50	6.4%	348	44.7%	322	41.3%	57	7.3%	2	0.3%
2003	630	52	8.3%	289	45.9%	246	39.0%	43	6.8%	0	0.0%

**Table 3c: Release Primary Offense by Release Location**  
**January 1999-December 2003**

Calendar Year	Offense-Probation Releases										
	Total	Person	% of Total	Property	% of Total	Societal	% of Total	Other	% of Total	Unknown	% of Total
<b>System-wide Releases</b>											
1999	4,857	716	14.7%	2,095	43.1%	1,228	25.3%	795	16.4%	23	0.5%
2000	5,436	767	14.1%	2,348	43.2%	1,405	25.8%	895	16.5%	21	0.4%
2001	5,228	726	13.9%	2,366	45.3%	1,313	25.1%	794	15.2%	29	0.6%
2002	5,607	910	16.2%	2,507	44.7%	1,342	23.9%	817	14.6%	31	0.6%
2003	5,593	816	14.6%	2,479	44.3%	1,524	27.2%	752	13.4%	22	0.4%
<b>TDOC Releases</b>											
1999	416	40	9.6%	161	38.7%	155	37.3%	60	14.4%	0	0.0%
2000	502	44	8.8%	210	41.8%	195	38.8%	51	10.2%	1	0.2%
2001	565	58	10.3%	266	47.1%	181	32.0%	60	10.6%	0	0.0%
2002	516	65	12.6%	220	42.6%	161	31.2%	70	13.6%	0	0.0%
2003	661	75	11.3%	256	38.7%	249	37.7%	80	12.1%	1	0.2%
<b>Local Jail Releases</b>											
1999	4,439	676	15.2%	1,932	43.5%	1,073	24.2%	735	16.6%	23	0.5%
2000	4,932	723	14.7%	2,136	43.3%	1,209	24.5%	844	17.1%	20	0.4%
2001	4,663	668	14.3%	2,100	45.0%	1,132	24.3%	734	15.7%	29	0.6%
2002	5,088	844	16.6%	2,286	44.9%	1,180	23.2%	747	14.7%	31	0.6%
2003	4,932	741	15.0%	2,223	45.1%	1,275	25.9%	672	13.6%	21	0.4%

**Table 3d: Release Primary Offense by Release Location  
January 1999-December 2003**

Calendar Year	Offense-Expiration Releases										
	Total	Person	% of Total	Property	% of Total	Societal	% of Total	Other	% of Total	Missing	% of Total
<b>System-wide Releases</b>											
1999	3,986	975	24.5%	1,778	44.6%	963	24.2%	260	6.5%	10	0.3%
2000	3,981	1,029	25.8%	1,771	44.5%	857	21.5%	287	7.2%	37	0.9%
2001	4,025	1,014	25.2%	1,759	43.7%	856	21.3%	374	9.3%	22	0.5%
2002	4,408	1,075	24.4%	1,996	45.3%	914	20.7%	396	9.0%	27	0.6%
2003	4,535	1,116	24.6%	2,119	46.7%	887	19.6%	390	8.6%	23	0.5%
<b>TDOC Releases</b>											
1999	1,482	500	33.7%	671	45.3%	252	17.0%	58	3.9%	1	0.1%
2000	1,548	550	35.5%	683	44.1%	246	15.9%	62	4.0%	7	0.5%
2001	1,638	586	35.8%	699	42.7%	258	15.8%	86	5.3%	9	0.5%
2002	1,824	632	34.6%	802	44.0%	274	15.0%	112	6.1%	4	0.2%
2003	2,031	668	32.9%	891	43.9%	341	16.8%	122	6.0%	9	0.4%
<b>Local Jail Releases</b>											
1999	2,504	475	19.0%	1,107	44.2%	711	28.4%	202	8.1%	9	0.4%
2000	2,432	478	19.7%	1,088	44.7%	614	25.2%	225	9.3%	30	1.2%
2001	2,387	428	17.9%	1,060	44.4%	598	25.1%	288	12.1%	13	0.5%
2002	2,584	443	17.1%	1,194	46.2%	640	24.8%	284	11.0%	23	0.9%
2003	2,503	447	17.9%	1,228	49.1%	546	21.8%	268	10.7%	14	0.6%

### Failure Rates

Table 4a provides the annual failure rate for all releases from TDOC jurisdiction, without regard to the type or location of release, for January 1999-December 2002.

**Table 4a: Rates of Re-incarceration (Failure Rates)  
January 1993-December 2002**

System-wide Releases							
Calendar Year	Total Releases	Number of Releases Returned In Years			Returned Rate In Years		
		1	2	3	1	2	3
1993	8,909	1,598	3,049	3,775	18%	34%	42%
1994	8,073	1,505	2,781	3,491	19%	34%	43%
1995	9,673	2,032	3,527	4,313	21%	36%	45%
1996	11,283	2,345	4,187	5,073	21%	37%	45%
1997	11,723	2,544	4,438	5,534	22%	38%	47%
1998	11,418	2,287	4,091	5,006	20%	36%	44%
1999	12,050	2,235	3,954	4,810	19%	33%	40%
2000	13,415	2,639	4,668	5,634	20%	35%	42%
2001	12,446	2,569	4,325		21%	35%	
2002	12,977	2,696			21%		

- ◆ For CY 1999, there were 12,050 releases with:
  - ◆ One-year failure rate      2,235 returned      19%
  - ◆ Two-year failure rate      3,954 returned      33%
  - ◆ Three-year failure rate      4,810 returned      40%
- ◆ For CY 2000, there were 13,415 releases with:
  - ◆ One-year failure rate      2,639 returned      20%
  - ◆ Two-year failure rate      4,668 returned      35%
  - ◆ Three-year failure rate      5,634 returned      42%
- ◆ For CY 2001, there were 12,446 releases with:
  - ◆ One-year failure rate      2,569 returned      21%
  - ◆ Two-year failure rate      4,325 returned      35%
- ◆ For CY 2002 there were 12,977 releases with:
  - ◆ One-year failure rate      2,696 returned      21%

#### *Failure Rates by Release Type*

Tables 4b-4d summarize the annual failure rates from TDOC jurisdiction by release type (without regard to location of release).

For CY 2000, the three-year failure rates by type of release are:

- ◆ Parole                      50%
- ◆ Probation                49%
- ◆ Expiration               24%

**Table 4b: Rates of Re-incarceration (Failure Rates)**  
January 1993-December 2002

System-wide Releases to Parole								
Calendar Year	Total Releases	Parole Releases	Number of Releases Returned in Years			Returned Rate Returned in Years		
			1	2	3	1	2	3
1993	8,909	4,567	927	1,817	2,228	20%	40%	49%
1994	8,073	3,011	775	1,285	1,552	26%	43%	52%
1995	9,673	3,463	949	1,549	1,850	27%	45%	53%
1996	11,283	4,036	1,088	1,883	2,216	27%	47%	55%
1997	11,723	4,197	1,238	2,004	<b>2,298</b>	29%	48%	<b>55%</b>
1998	11,418	3,221	888	<b>1,383</b>	<b>1,621</b>	28%	<b>43%</b>	<b>50%</b>
<b>1999</b>	<b>12,050</b>	<b>3,207</b>	<b>737</b>	<b>1,291</b>	<b>1,546</b>	<b>23%</b>	<b>40%</b>	<b>48%</b>
<b>2000</b>	<b>13,415</b>	<b>3,998</b>	<b>895</b>	<b>1,654</b>	<b>1,984</b>	<b>22%</b>	<b>41%</b>	<b>50%</b>
<b>2001</b>	<b>12,446</b>	<b>3,193</b>	<b>799</b>	<b>1,314</b>		<b>25%</b>	<b>41%</b>	
<b>2002</b>	<b>12,977</b>	<b>2,962</b>	<b>686</b>			<b>23%</b>		

**Table 4c: Rates of Re-incarceration (Failure Rates)**  
January 1993-December 2002

System-wide Releases to Probation								
Calendar Year	Total Releases	Probation Releases	Number of Releases Returned in Years			Returned Rate Returned in Years		
			1	2	3	1	2	3
1993	8,909	2,757	517	908	1,111	19%	33%	40%
1994	8,073	2,922	579	1,018	1,268	20%	35%	43%
1995	9,673	3,518	796	1,348	1,639	23%	38%	47%
1996	11,283	4,160	987	1,709	2,029	24%	41%	49%
1997	11,723	4,306	1,132	1,936	2,267	26%	45%	53%
1998	11,418	4,421	1,181	1,959	2,302	27%	44%	52%
1999	12,050	4,857	1,184	1,955	2,281	24%	40%	47%
2000	13,415	5,436	1,434	2,340	2,684	26%	43%	49%
2001	12,446	5,228	1,421	2,289		27%	44%	
2002	12,977	5,607	1,674			30%		

**Table 4d: Rates of Re-incarceration (Failure Rates)**  
January 1993-December 2002

System-wide Releases to Expiration								
Calendar Year	Total Releases	Expiration Releases	Number of Releases Returned in Years			Returned Rate Returned in Years		
			1	2	3	1	2	3
1993	8,909	1,585	154	324	436	10%	20%	28%
1994	8,073	2,140	231	478	671	11%	22%	31%
1995	9,673	2,692	287	630	824	11%	23%	31%
1996	11,283	3,087	315	657	902	10%	21%	29%
1997	11,723	3,220	321	698	969	10%	22%	30%
1998	11,418	3,776	339	749	1,083	9%	20%	29%
1999	12,050	3,986	314	708	983	8%	18%	25%
2000	13,415	3,981	310	674	966	8%	17%	24%
2001	12,446	4,025	349	722		9%	18%	
2002	12,977	4,408	336			8%		

#### *Failure Rates by Location*

Tables 4e-4f summarize the annual failure rates by location of release. For CY 2000, the three-year failure rates by location type are:

- ♦ TDOC 41%
- ♦ Local jail 40%

From CY 1999-CY 2000, overall rates of return for releases from local jails and TDOC facilities are fairly similar in most instances. This trend was also found in the original research brief.

**Table 4e: Rates of Re-incarceration (Failure Rates)**  
January 1993-December 2002

Releases from TDOC								
Calendar Year	Total Releases	TDOC Releases	Number of Releases Returned in Years			Returned Rate Returned in Years		
			1	2	3	1	2	3
1993	8,909	3,591	652	1,310	1,625	18%	36%	45%
1994	8,073	2,751	518	918	1,185	19%	33%	43%
1995	9,673	3,242	698	1,220	1,514	22%	38%	47%
1996	11,283	3,832	823	1,459	1,773	21%	38%	46%
1997	11,723	4,374	1,018	1,737	<b>2,049</b>	23%	40%	<b>47%</b>
1998	11,418	4,026	777	<b>1,303</b>	<b>1,627</b>	19%	<b>32%</b>	<b>40%</b>
<b>1999</b>	<b>12,050</b>	<b>4,104</b>	<b>666</b>	<b>1,269</b>	<b>1,589</b>	<b>16%</b>	<b>31%</b>	<b>39%</b>
<b>2000</b>	<b>13,415</b>	<b>4,861</b>	<b>850</b>	<b>1,593</b>	<b>1,972</b>	<b>17%</b>	<b>33%</b>	<b>41%</b>
<b>2001</b>	<b>12,446</b>	<b>4,597</b>	<b>837</b>	<b>1,495</b>		<b>18%</b>	<b>33%</b>	
<b>2002</b>	<b>12,977</b>	<b>4,522</b>	<b>726</b>			<b>16%</b>		

**Table 4f: Rates of Re-incarceration (Failure Rates)**  
January 1993-December 2002

Releases from Local Jail								
Calendar Year	Total Releases	Local Jail Releases	Number of Releases Returned in Years			Returned Rate Returned in Years		
			1	2	3	1	2	3
1993	8,909	5,318	946	1,739	2,150	18%	33%	40%
1994	8,073	5,322	1,067	1,863	2,306	20%	35%	43%
1995	9,673	6,431	1,334	2,307	2,799	21%	36%	44%
1996	11,283	7,451	1,522	2,728	3,300	20%	37%	44%
1997	11,723	7,349	1,526	2,701	<b>3,475</b>	21%	37%	<b>47%</b>
1998	11,418	7,392	1,510	<b>2,785</b>	<b>3,376</b>	20%	<b>38%</b>	<b>46%</b>
<b>1999</b>	<b>12,050</b>	<b>7,938</b>	<b>1,430</b>	<b>2,511</b>	<b>3,022</b>	<b>18%</b>	<b>32%</b>	<b>38%</b>
<b>2000</b>	<b>13,415</b>	<b>8,550</b>	<b>1,600</b>	<b>2,822</b>	<b>3,382</b>	<b>19%</b>	<b>33%</b>	<b>40%</b>
<b>2001</b>	<b>12,446</b>	<b>7,849</b>	<b>1,573</b>	<b>2,606</b>		<b>20%</b>	<b>33%</b>	
<b>2002</b>	<b>12,977</b>	<b>8,451</b>	<b>1,748</b>			<b>21%</b>		

*Failure Rates by Location and Release Type*

Tables 4g-4l summarize the annual failure rates by location and release type. For CY 2000, the three-year failure rates for releases by location and release type are:

♦ Parole	TDOC	51%
	Local Jail	44%
♦ Probation	TDOC	53%
	Local Jail	45%
♦ Expiration	TDOC	18%
	Local Jail	26%

**Table 4g: Rates of Re-incarceration (Failure Rates)  
January 1993-December 2002**

Releases from TDOC to Parole									
Calendar Year	Total Releases	TDOC Releases	Parole Releases	Number of Releases Returned in Years			Returned Rate Returned in Years		
				1	2	3	1	2	3
1993	8,909	3,591	2,533	535	1,047	1,275	21%	41%	50%
1994	8,073	2,751	1,618	402	681	853	25%	42%	53%
1995	9,673	3,242	2,033	569	934	1,132	28%	46%	56%
1996	11,283	3,832	2,464	670	1,158	1,374	27%	47%	56%
1997	11,723	4,374	2,770	823	1,354	1,542	30%	49%	56%
1998	11,418	4,026	2,180	595	917	1,098	27%	42%	50%
1999	12,050	4,104	2,206	491	909	1,111	22%	41%	50%
2000	13,415	4,861	2,811	635	1,179	1,444	23%	42%	51%
2001	12,446	4,597	2,394	585	990		24%	41%	0%
2002	12,977	4,522	2,182	497			23%		

**Table 4h: Rates of Re-incarceration (Failure Rates)  
January 1993-December 2002**

Local Jail Releases to Parole									
Calendar Year	Total Releases	Local Jail Releases	Parole Releases	Number of Releases Returned in Years			Returned Rate Returned in Years		
				1	2	3	1	2	3
1993	8,909	5,318	2,034	392	770	953	19%	38%	47%
1994	8,073	5,322	1,393	373	604	699	27%	43%	50%
1995	9,673	6,431	1,430	380	615	718	27%	43%	50%
1996	11,283	7,451	1,572	431	745	859	27%	47%	55%
1997	11,723	7,349	1,427	432	676	751	30%	47%	53%
1998	11,418	7,392	1,041	311	464	521	30%	45%	50%
1999	12,050	7,938	995	224	361	419	23%	36%	42%
2000	13,415	8,550	1,186	246	453	527	21%	38%	44%
2001	12,446	7,849	799	201	307		25%	38%	
2002	12,977	8,451	779	178			23%		

**Table 4i: Rates of Re-incarceration (Failure Rates)**  
**January 1993-December 2002**

Releases from TDOC to Probation									
Calendar Year	Total Releases	TDOC Releases	Probation Releases	Number of Releases Returned in Years			Returned Rate Returned in Years		
				1	2	3	1	2	3
1993	8,909	3,591	454	80	168	210	18%	37%	46%
1994	8,073	2,751	420	77	136	183	18%	32%	44%
1995	9,673	3,242	383	83	166	209	22%	43%	55%
1996	11,283	3,832	383	88	165	192	23%	43%	50%
1997	11,723	4,374	486	118	212	256	24%	44%	53%
1998	11,418	4,026	485	107	192	237	22%	40%	49%
<b>1999</b>	<b>12,050</b>	<b>4,104</b>	<b>416</b>	<b>97</b>	<b>162</b>	<b>200</b>	<b>23%</b>	<b>39%</b>	<b>48%</b>
<b>2000</b>	<b>13,415</b>	<b>4,861</b>	<b>502</b>	<b>140</b>	<b>229</b>	<b>266</b>	<b>28%</b>	<b>46%</b>	<b>53%</b>
<b>2001</b>	<b>12,446</b>	<b>4,597</b>	<b>565</b>	<b>148</b>	<b>268</b>		<b>26%</b>	<b>47%</b>	<b>0%</b>
<b>2002</b>	<b>12,977</b>	<b>4,522</b>	<b>516</b>	<b>144</b>			<b>28%</b>		

**Table 4j: Rates of Re-incarceration (Failure Rates)**  
**January 1993-December 2002**

Local Jail Releases to Probation									
Calendar Year	Total Releases	Local Jail Releases	Probation Releases	Number of Releases Returned in Years			Returned Rate Returned in Years		
				1	2	3	1	2	3
1993	8,909	5,318	2,303	437	740	901	19%	32%	39%
1994	8,073	5,322	2,502	502	882	1,085	20%	35%	43%
1995	9,673	6,431	3,135	713	1,182	1,430	23%	38%	46%
1996	11,283	7,451	3,777	840	1,454	1,736	22%	38%	46%
1997	11,723	7,349	3,820	850	1,505	2,006	22%	39%	53%
1998	11,418	7,392	3,936	930	1,766	2,064	24%	45%	52%
<b>1999</b>	<b>12,050</b>	<b>7,938</b>	<b>4,439</b>	<b>1,001</b>	<b>1,681</b>	<b>1,953</b>	<b>23%</b>	<b>38%</b>	<b>44%</b>
<b>2000</b>	<b>13,415</b>	<b>8,550</b>	<b>4,932</b>	<b>1,160</b>	<b>1,934</b>	<b>2,226</b>	<b>24%</b>	<b>39%</b>	<b>45%</b>
<b>2001</b>	<b>12,446</b>	<b>7,849</b>	<b>4,663</b>	<b>1,160</b>	<b>1,858</b>		<b>25%</b>	<b>40%</b>	
<b>2002</b>	<b>12,977</b>	<b>8,451</b>	<b>5,088</b>	<b>1,375</b>			<b>27%</b>		

**Table 4k: Rates of Re-incarceration (Failure Rates)**  
**January 1993-December 2002**

TDOC Releases to Expiration									
Calendar Year	Total Releases	TDOC Releases	Expiration Releases	Number of Releases Returned in Years			Returned Rate Returned in Years		
				1	2	3	1	2	3
1993	8,909	3,591	604	37	95	140	6%	16%	23%
1994	8,073	2,751	713	39	101	149	5%	14%	21%
1995	9,673	3,242	826	46	120	173	6%	15%	21%
1996	11,283	3,832	985	65	136	207	7%	14%	21%
1997	11,723	4,374	1,118	77	171	251	7%	15%	22%
1998	11,418	4,026	1,361	75	194	292	6%	14%	21%
1999	12,050	4,104	1,482	78	198	285	5%	13%	19%
2000	13,415	4,861	1,548	75	185	275	5%	12%	18%
2001	12,446	4,597	1,638	104	237		6%	14%	
2002	12,977	4,522	1,824	85			5%		

**Table 4l: Rates of Re-incarceration (Failure Rates)**  
**January 1993-December 2002**

Local Jail Releases to Expiration									
Calendar Year	Total Releases	Local Jail Releases	Expiration Releases	Number of Releases Returned in Years			Returned Rate Returned in Years		
				1	2	3	1	2	3
1993	8,909	5,318	981	117	229	296	12%	23%	30%
1994	8,073	5,322	1,427	192	377	522	13%	26%	37%
1995	9,673	6,431	1,866	241	510	651	13%	27%	35%
1996	11,283	7,451	2,102	251	529	705	12%	25%	34%
1997	11,723	7,349	2,102	244	520	718	12%	25%	34%
1998	11,418	7,392	2,415	269	555	791	11%	23%	33%
1999	12,050	7,938	2,504	205	469	650	8%	19%	26%
2000	13,415	8,550	2,432	194	435	629	8%	18%	26%
2001	12,446	7,849	2,387	212	441		9%	18%	
2002	12,977	8,451	2,584	195			8%		

- ◆ As was noted in the original 2001 brief, there was little difference in the return rates of releases to probation or parole between local jails and TDOC facilities; however, those expiring their sentences showed some disparity in the rate of return. Within a three-year time frame, the failure rate for those expiring their sentences in a local jail was 26%. In comparison, there was only a failure rate of 18% for expiration of sentence releases from a TDOC facility. Persons incarcerated in local jails are typically younger, drug and property offenders, with a higher risk for returning to criminal activity.
- ◆ In the 2001 research brief, within three years, parolees (55%) failed at a higher rate than probationers (46%) or those who expired their sentences (30%). In CY 2000, the failure rates for parolees (50%) and probationers (49%) were relatively similar. Please note that parolees and probationers can be returned for technical violations of the conditions of their release; but no such mechanism exists for those who expire their sentence.

**Table 4m: Summary of Rates of Re-incarceration (Failure Rates)**  
**January 1993-December 2002**

Overall (TDOC +Local) Releases													
		Total			Parole			Probation			Expiration		
Calendar	Total	Returned Rate			Returned Rate			Returned Rate			Returned Rate		
		1	2	3	1	2	3	1	2	3	1	2	3
System-wide Releases													
1993	8,909	18%	34%	42%	20%	40%	49%	19%	33%	40%	10%	20%	28%
1994	8,073	19%	34%	43%	26%	43%	52%	20%	35%	43%	11%	22%	31%
1995	9,673	21%	36%	45%	27%	45%	53%	23%	38%	47%	11%	23%	31%
1996	11,283	21%	37%	45%	27%	47%	55%	24%	41%	49%	10%	21%	29%
1997	11,723	22%	38%	47%	29%	48%	55%	26%	45%	53%	10%	22%	30%
1998	11,418	20%	36%	44%	28%	43%	50%	27%	44%	52%	9%	20%	29%
1999	12,050	19%	33%	40%	23%	40%	48%	24%	40%	47%	8%	18%	25%
2000	13,415	20%	35%	42%	22%	41%	50%	26%	43%	49%	8%	17%	24%
2001	12,446	21%	35%		25%	41%		27%	44%		9%	18%	
2002	12,977	21%			23%			30%			8%		
TDOC Releases													
1993	3,591	18%	36%	45%	21%	41%	50%	18%	37%	46%	6%	16%	23%
1994	2,751	19%	33%	43%	25%	42%	53%	18%	32%	44%	5%	14%	21%
1995	3,242	22%	38%	47%	28%	46%	56%	22%	43%	55%	6%	15%	21%
1996	3,832	21%	38%	46%	27%	47%	56%	23%	43%	50%	7%	14%	21%
1997	4,374	23%	40%	47%	30%	49%	56%	24%	44%	53%	7%	15%	22%
1998	4,026	19%	32%	40%	27%	42%	50%	22%	40%	49%	6%	14%	21%
1999	4,104	16%	31%	39%	22%	41%	50%	23%	39%	48%	5%	13%	19%
2000	4,861	17%	33%	41%	23%	42%	51%	28%	46%	53%	5%	12%	18%
2001	4,597	18%	33%		24%	41%	0%	26%	47%	0%	6%	14%	0%
2002	4,522	16%			23%			28%			5%		
Local Jail Releases													
1993	5,318	18%	33%	40%	19%	38%	47%	19%	32%	39%	12%	23%	30%
1994	5,322	20%	35%	43%	27%	43%	50%	20%	35%	43%	13%	26%	37%
1995	6,431	21%	36%	44%	27%	43%	50%	23%	38%	46%	13%	27%	35%
1996	7,451	20%	37%	44%	27%	47%	55%	22%	38%	46%	12%	25%	34%
1997	7,349	21%	37%	47%	30%	47%	53%	22%	39%	53%	12%	25%	34%
1998	7,392	20%	38%	46%	30%	45%	50%	24%	45%	52%	11%	23%	33%
1999	7,938	18%	32%	38%	23%	36%	42%	23%	38%	44%	8%	19%	26%
2000	8,550	19%	33%	40%	21%	38%	44%	24%	39%	45%	8%	18%	26%
2001	7,849	20%	33%		25%	38%		25%	40%		9%	18%	
2002	8,451	21%			23%			27%			8%		

*Failure Rates by Release Type and Offense Category*

On the following page, Table 5b summarizes the annual failure rates from TDOC jurisdiction by release type and offense category (regardless of release location).

For CY 2000, the three-year failure rates by primary offense category are:

- ◆ Person Offenses 32%
- ◆ Property Offenses 43%
- ◆ Societal Offenses 41%
- ◆ Other Offenses 38%

The following are the failure rates for primary offense categories by release type:

- ◆ For releases to parole
  - ◆ Person offense 44%
  - ◆ Property offense 51%
  - ◆ Societal offense 48%
  - ◆ Other offense 46%
- ◆ For releases to probation
  - ◆ Person offense 50%
  - ◆ Property offense 53%
  - ◆ Societal offense 47%
  - ◆ Other offense 42%
- ◆ For releases to expiration of sentence
  - ◆ Person offenses 16%
  - ◆ Property offenses 26%
  - ◆ Societal offenses 24%
  - ◆ Other offenses 26%

**Table 5a-Failure Rate Rank by Release Type**

Category	Parole	Probation	Expiration
Person	4	2	4
Property	1	1	1
Societal	2	3	3
Other	3	4	1

- ◆ Regardless of the type of release, a property offense was most likely the original primary offense committed by the offender.
- ◆ A person offense was the least likely offense committed by an offender released to parole or expiration.

Tables 5c-5d summarize the annual failure rates by release type, location, and offense category.

For CY 2000, the three-year failure rates are:

- ◆ For releases from TDOC:
  - Person Offenses 25%
  - Property Offenses 44%
  - Societal Offenses 46%
  - Other Offenses 41%
- ◆ For releases from a local jail:
  - Person Offenses 38%
  - Property Offenses 42%
  - Societal Offenses 38%
  - Other Offenses 38%
- ◆ The failure rate for releases from TDOC facilities was distinct from the failure rate for local jail releases. Usually, property offenses are committed when released from a local jail. However, societal offenses are more commonly committed when released from a TDOC facility.
- ◆ Regardless of the original primary offense committed, the failure rates were relatively consistent for releases from local jails.

**Table 5b: Rates of Re-incarceration (Failure Rates)  
By Release and Offense Type  
January 1999-December 2002**

Overall (TDOC +Local) Releases													
		System-wide			Parole			Probation			Expiration		
Calendar Year	Total Releases	Returned Rate In Years			Returned Rate In Years			Returned Rate In Years			Returned Rate In Years		
		1	2	3	1	2	3	1	2	3	1	2	3
System-wide Releases													
1999	12,050	19%	33%	40%	23%	40%	48%	24%	40%	47%	8%	18%	25%
2000	13,415	20%	35%	42%	22%	41%	50%	26%	43%	49%	8%	17%	24%
2001	12,446	21%	35%		25%	41%		27%	44%		9%	18%	
2002	12,977	21%			23%			30%			8%		
Person Offenses													
1999	2,094	13%	24%	31%	16%	32%	44%	24%	38%	48%	4%	11%	15%
2000	2,319	14%	26%	32%	19%	36%	44%	24%	41%	50%	4%	9%	16%
2001	2,213	14%	24%		17%	30%		24%	40%		5%	11%	
2002	2,393	14%			15%			26%			3%		
Property Offenses													
1999	5,506	20%	35%	42%	24%	42%	49%	25%	42%	51%	9%	21%	29%
2000	6,154	21%	36%	43%	25%	43%	51%	27%	43%	53%	9%	19%	26%
2001	5,729	23%	37%		29%	46%		28%	44%		9%	20%	
2002	5,960	22%			26%			30%			8%		
Societal Offenses													
1999	3,238	16%	30%	37%	22%	39%	47%	19%	35%	44%	5%	15%	22%
2000	3,522	17%	33%	41%	20%	40%	48%	22%	38%	47%	5%	15%	24%
2001	3,121	18%	33%		22%	39%		21%	38%		9%	18%	
2002	3,190	18%			21%			25%			5%		
Other Offenses													
1999	1,178	18%	30%	36%	23%	39%	46%	20%	33%	42%	10%	17%	22%
2000	1,367	17%	32%	38%	16%	36%	46%	20%	35%	42%	8%	19%	26%
2001	1,334	18%	30%		19%	29%		22%	37%		7%	17%	
2002	1,328	19%			23%			24%			8%		

**Table 5c: Rates of Re-incarceration (Failure Rates)**  
**January 1993-December 2003**

TDOC Releases													
		System-wide			Parole			Probation			Expiration		
Calendar Year	Total Releases	Returned Rate In Years			Returned Rate In Years			Returned Rate In Years			Returned Rate In Years		
		1	2	3	1	2	3	1	2	3	1	2	3
System-wide Releases													
1999	4,104	16%	31%	39%	22%	41%	50%	23%	39%	48%	5%	13%	19%
2000	4,861	18%	33%	41%	23%	42%	51%	28%	46%	53%	5%	12%	18%
2001	4,597	18%	33%		24%	41%		26%	47%		6%	14%	
2002	4,522	16%			23%			28%			5%		
Person Offenses													
1999	880	8%	17%	25%	14%	29%	42%	13%	30%	43%	3%	8%	11%
2000	1,018	10%	19%	25%	17%	34%	44%	18%	27%	30%	3%	6%	11%
2001	1,065	10%	19%		17%	30%		26%	41%		4%	9%	
2002	1,069	8%			15%			26%			2%		
Property Offenses													
1999	1,988	20%	37%	44%	26%	46%	53%	30%	48%	57%	7%	18%	26%
2000	2,396	21%	37%	44%	25%	45%	53%	35%	53%	59%	6%	14%	21%
2001	2,198	22%	37%		28%	46%		31%	52%		7%	17%	
2002	2,141	20%			26%			31%			7%		
Societal Offenses													
1999	1,036	16%	31%	40%	21%	39%	48%	19%	34%	43%	3%	12%	17%
2000	1,211	19%	37%	46%	21%	42%	52%	27%	46%	56%	4%	14%	21%
2001	1,071	19%	36%		23%	41%		19%	41%		9%	19%	
2002	1,061	17%			21%			25%			4%		
Other Offenses													
1999	199	19%	30%	39%	21%	38%	48%	23%	33%	42%	10%	14%	22%
2000	228	14%	32%	41%	17%	34%	44%	14%	31%	41%	10%	29%	35%
2001	250	18%	34%		20%	31%		27%	55%		10%	22%	
2002	247	17%			22%			27%			7%		

**Table 5d: Rates of Re-incarceration (Failure Rates)**  
**January 1993-December 2003**

Local Jail Releases													
		System-wide			Parole			Probation			Expiration		
Calendar Year	Total Releases	Returned Rate In Years			Returned Rate In Years			Returned Rate In Years			Returned Rate In Years		
		1	2	3	1	2	3	1	2	3	1	2	3
System-wide Releases													
1999	7,938	18%	32%	38%	23%	36%	42%	23%	38%	44%	8%	19%	26%
2000	8,550	19%	33%	40%	21%	38%	44%	24%	39%	45%	8%	18%	26%
2001	7,849	20%	33%		25%	38%		25%	40%		9%	18%	
2002	8,451	21%			23%			27%			8%		
Person Offenses													
1999	1,213	17%	29%	35%	29%	44%	50%	24%	38%	45%	5%	14%	19%
2000	1,297	18%	31%	38%	26%	41%	46%	24%	41%	48%	6%	13%	21%
2001	1,148	17%	30%		19%	25%		24%	40%		6%	14%	
2002	1,337	19%			12%			26%			6%		
Property Offenses													
1999	3,511	20%	34%	41%	18%	33%	40%	25%	41%	47%	11%	23%	31%
2000	3,746	21%	36%	42%	23%	39%	46%	26%	42%	47%	10%	22%	29%
2001	3,540	23%	37%		31%	44%		28%	43%		11%	21%	
2002	3,828	23%			26%			30%			9%		
Societal Offenses													
1999	2,197	16%	29%	36%	17%	38%	44%	19%	35%	41%	6%	15%	24%
2000	2,313	16%	31%	38%	18%	36%	41%	21%	37%	43%	6%	15%	25%
2001	2,045	18%	31%		20%	36%		22%	37%		8%	18%	
2002	2,142	19%			23%			25%			6%		
Other Offenses													
1999	984	18%	30%	35%	30%	40%	43%	20%	33%	39%	10%	18%	21%
2000	1,143	17%	32%	38%	15%	39%	49%	20%	35%	40%	8%	16%	24%
2001	1,073	18%	30%		16%	25%		22%	36%		7%	15%	
2002	1,088	19%			25%			23%			8%		

*Average Time to Re-incarceration*

Table 6a depicts the average time it takes for an offender to return to incarceration for CY 2000. System-wide, after an offender was released, it took approximately 15 months for a return to criminal activity to happen. When an offender was released from a local jail, a return occurred in just over 14 months; whereas, when released from a TDOC facility, a return to criminal activity occurred in just over 15 months. This data reinforces what has been consistently found in most recidivism studies that those persons most likely to fail will be incarcerated again within eight to fifteen months.

**Table 6a-Average Time to Re-incarceration  
Three Year Failure Rate-2000  
In Months**

System-wide (TDOC+Local Jails)			
		Time	Failure Rate
<b>Total</b>		14.75	42%
<b>Location</b>	TDOC	15.32	41%
	Local Jail	14.42	40%
<b>Release Type</b>	Parole	14.81	50%
	Probation	13.38	49%
	Expiration	18.39	24%
<b>Offense Category</b>	Person	15.46	32%
	Property	14.16	43%
	Societal	15.45	41%
	Other Offenses	14.76	38%

When examining release types, an offender released to probation was more likely to return to incarceration than an offender who was released to parole or had expired their sentence. Average time to re-incarceration for an offender released to probation was approximately thirteen months; the average time for an offender released to parole was fifteen months; and the average time for an offender who expired their sentence was 18 months.

When comparing offense categories, the average time to re-incarceration ranged from fourteen months to nearly sixteen months. If an offender was originally incarcerated for a property crime, the average time to re-incarceration was fourteen months. If an offender was originally incarcerated for a person or societal offense, the average time to re-incarceration was fairly equal at about sixteen months.

Table 6b expands analysis of the average time to re-incarceration by looking at the location of release. Regardless of the groupings, release type or offense category, if an offender was released from a TDOC facility, the average time to failure or re-incarceration was equal to or longer than that of a release from a local jail.

Table 6c further illustrates the average time to re-incarceration by looking at the type of release. While comparing the release type for a return to incarceration, a property crime was least likely to have been committed originally and a societal offense was most likely to have been committed originally by an offender who was released to probation or expiration.

**Table 6b-Average Time to Re-incarceration by Location  
Three Year Failure Rate-2000  
In Months**

TDOC				Local Jail			
		Time	Failure Rate			Time	Failure Rate
<b>Total</b>	TDOC	15.32	41%	<b>Total</b>	Local Jail	14.42	40%
<b>Release Type</b>	Parole	14.96	51%	<b>Release Type</b>	Parole	14.41	44%
	Probation	13.37	53%		Probation	13.37	45%
	Expiration	19.04	18%		Expiration	18.11	26%
<b>Offense Category</b>	Person	17.07	25%	<b>Offense Category</b>	Person	14.62	38%
	Property	14.57	44%		Property	13.88	42%
	Societal	15.75	46%		Societal	15.26	38%
	Other Offenses	16.32	41%		Other Offenses	14.42	38%

**Table 6c-Average Time to Re-incarceration by Release Type  
Three Year Failure Rate-2000  
In Months**

Parole				Probation			Expiration		
		Time	Failure Rate		Time	Failure Rate		Time	Failure Rate
<b>Total</b>	Parole	14.81	50%	Probation	13.38	49%	Expiration	18.39	24%
<b>Location</b>	TDOC	14.96	51%	TDOC	13.37	53%	TDOC	19.04	18%
	Local Jail	14.41	44%	Local Jail	13.37	45%	Local Jail	18.11	26%
<b>Offense Category</b>	Person	15.60	44%	Person	13.46	50%	Person	19.72	50%
	Property	14.30	51%	Property	12.80	53%	Property	17.21	53%
	Societal	15.20	48%	Societal	14.15	47%	Societal	20.15	47%
	Other Offenses	16.22	46%	Other Offenses	13.76	42%	Other Offenses	17.83	42%

**Table 6d-Average Time to Re-incarceration  
By Location and Release Type  
Three Year Failure Rate-2000  
In Months**

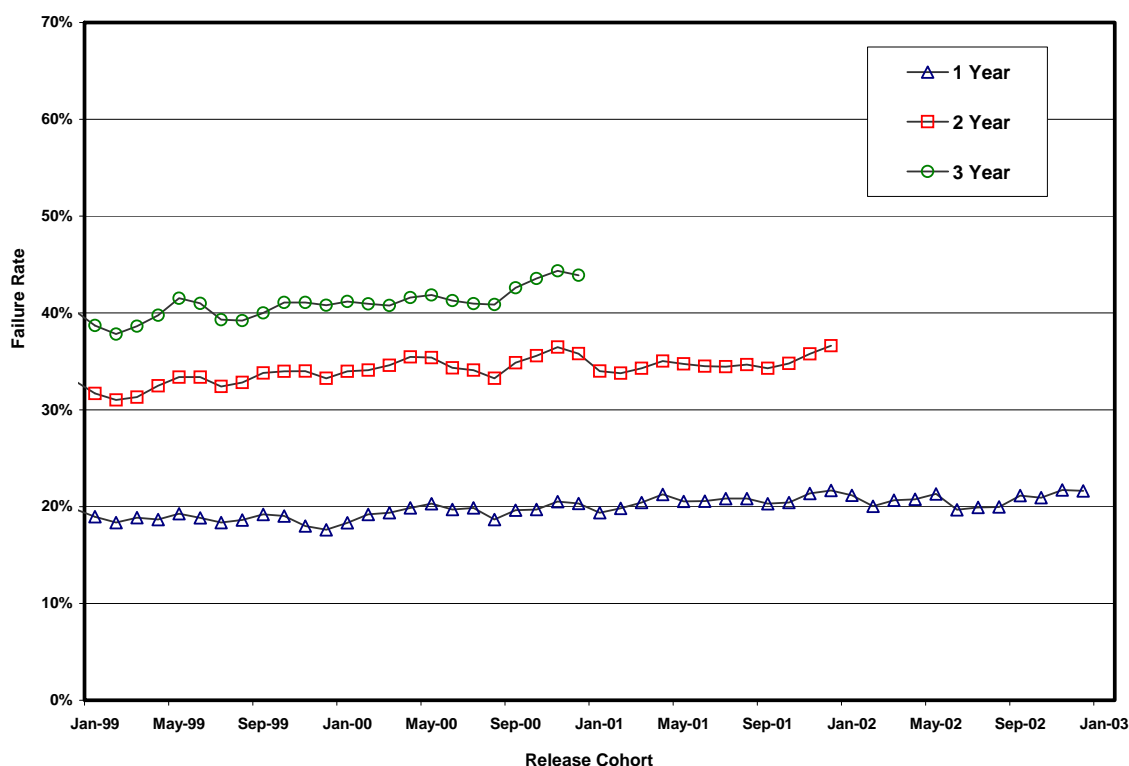
		System-wide		TDOC		Local Jail	
		Time	Failure Rate	Time	Failure Rate	Time	Failure Rate
<b>Overall</b>		14.75	42%	14.42	41%	15.32	40%
Parole	Person	15.60	44%	16.29	44%	12.72	46%
	Property	14.30	51%	14.32	53%	14.25	46%
	Societal	15.20	48%	15.50	52%	14.62	41%
	Other Offenses	16.22	46%	16.02	44%	16.51	49%
Probation	Person	13.46	50%	10.67	30%	13.57	48%
	Property	12.80	53%	11.82	59%	12.91	47%
	Societal	14.15	47%	14.89	56%	13.99	43%
	Other Offenses	13.76	42%	16.26	41%	13.61	40%
Expiration	Person	19.72	16%	20.85	11%	19.05	21%
	Property	17.21	26%	18.35	21%	16.69	29%
	Societal	20.15	24%	19.48	21%	20.39	25%
	Other Offenses	17.83	26%	17.07	35%	18.14	24%

The remainder of this brief focuses on updating and graphically presenting the failure rates of releases by examining changing trends. The following figures present graphically and in more detail the data already presented.

### *System-wide Failure Rates by Release Type*

Figure 1 presents the system-wide failure rates of felons released since January 1999. The one-year failure rate was fairly stable; in 1999, the rate was equal to 20% or less and continued along this trajectory until the first quarter of 2001. Around mid 2001, the rate increased and remained equal to 20% or higher until the end of 2002. The two-year failure rate showed fewer fluctuations from January 1999 to December 2000 than the one-year failure rate. From January 2001-December 2002, the two-year failure rate mirrored the one-year failure rate and remained approximately 35%.

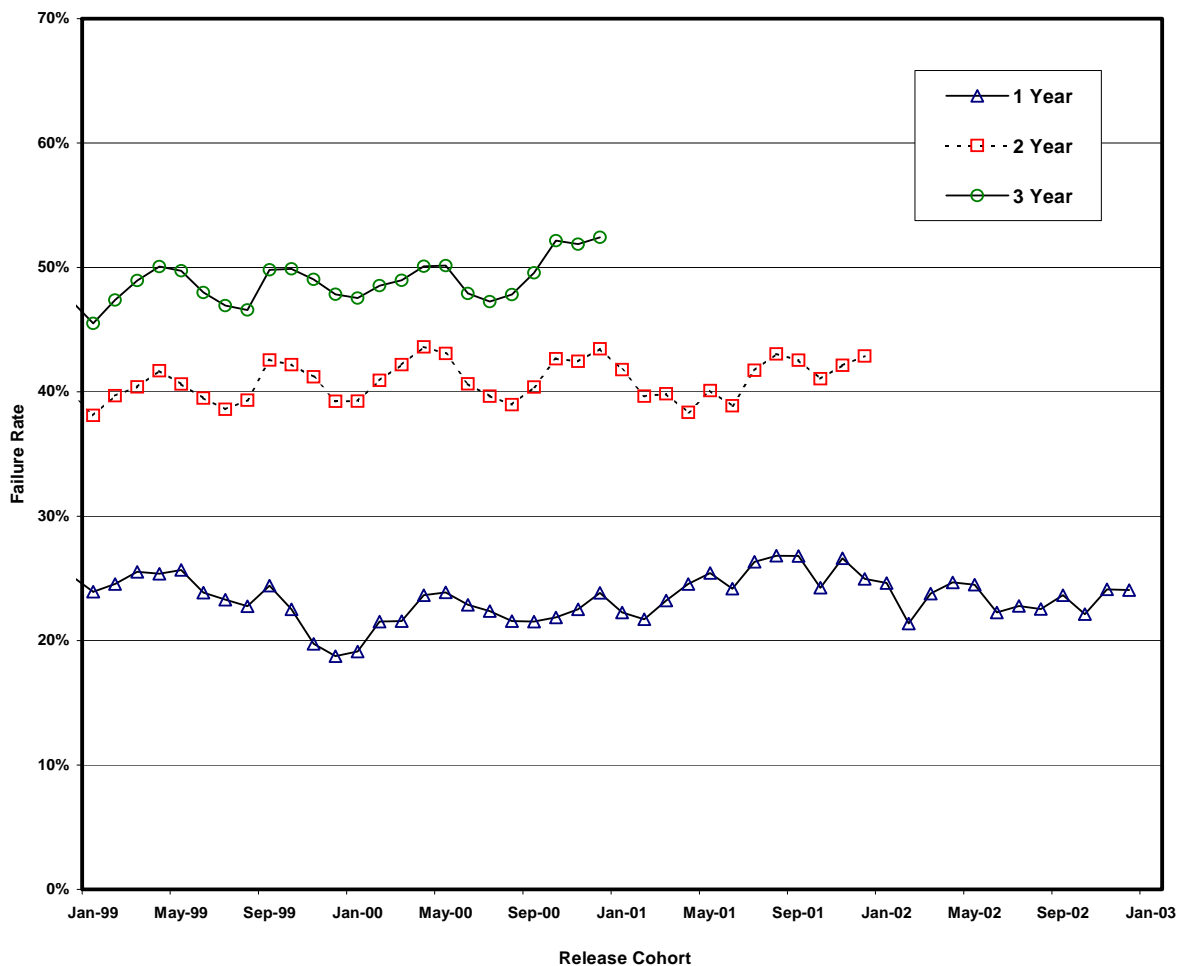
**Figure 1: Failure Rates-System-wide  
January 1999-December 2002  
Three Month Moving Average**



Additionally, approximately 11% of all failures occurred in the second year of release. Finally, the three-year failure rate mirrored the two-year rate. The same fluctuations from January 1999 to December 2000 and January 2001-December 2002 were demonstrated, but at a declining rate of return. Approximately 5% to 7% of returns occurred in the third year of release. The data continued to reinforce the observation from the original 2001 brief, as well as the bulk of recidivism literature: Typically, peak failure occurs within 8 to 15 months followed by a declining hazard rate for failure in subsequent years.

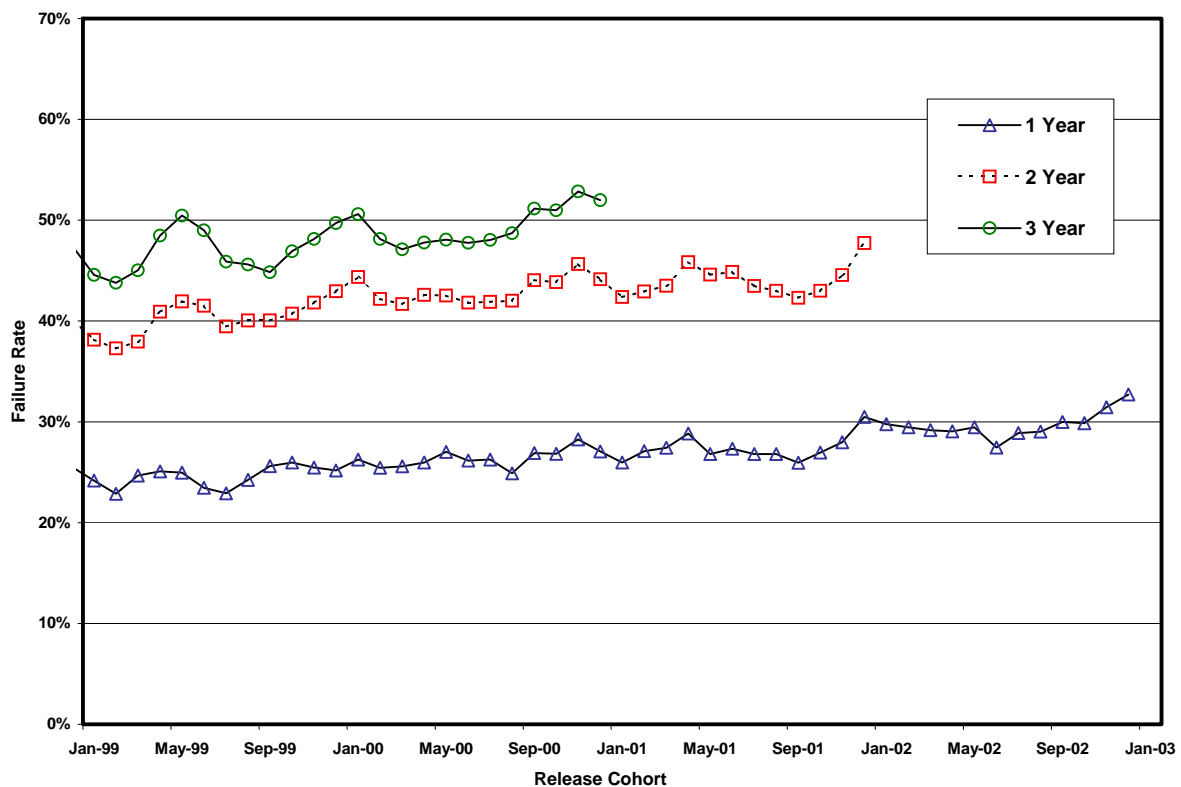
Figure 2 presents the system-wide failure rates of felons released to parole from January 1999 through December 2002. In the original 2001 brief, the parole releases had the highest recidivism rate of all release types. For this brief, the parole releases (48%) still had the highest recidivism rate, although the rate for probation releases (47%) followed closely. The one-year failure rate was 23% in the beginning of 1999 with noticeable fluctuations over the review period. The two-year failure rate had a similar trajectory as the one-year failure rate where an additional 15% of all failures occurred in the second year of release. The three-year failure rate, where an additional 8% of failures occurred, repeated the two-year trend.

**Figure 2: Failure Rates-Parole**  
**January 1999-December 2002**  
**Three Month Moving Average**



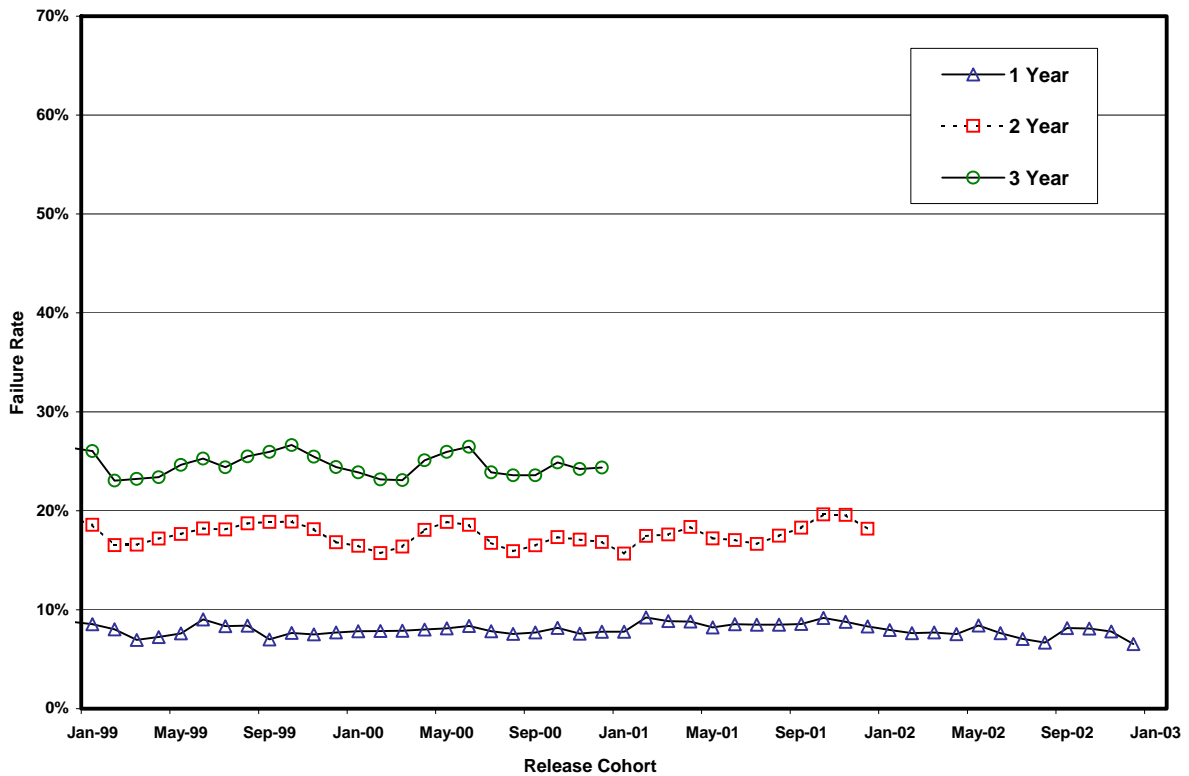
The system-wide failure rates for probation releases from January 1999-December 2002 are illustrated in Figure 3. The one-year failure rate for probationers in January 1999 was 24% and increased to 30% by January 2002. Overall, the return rate remained steady or has shown an increase except for a few months in 1999. The two-year failure rate resembled the one-year failure rate with the exception of the aforementioned brief increase. An additional 16% of all failures occurred in the second year of release. The third-year failure rate copied the two-year recidivism rate for probationers, with an additional 7% of all returns occurring in the third year of release.

**Figure 3: Failure Rates-Probation**  
**January 1999-December 2002**  
**Three Month Moving Average**



System-wide failure rates for felons who expired their sentences from January 1993 - December 2002 are presented in Figure 4. Releases to expiration of sentence had the lowest failure rate of all release types. The one-year failure rate remained fairly constant over the period at approximately 8%. The two-year failure also remained fairly steady at approximately 18%, with an additional 10% failing during the second year of release. Lastly, similar to the probation and parolee releases, the three-year failure rate was 26%, with an additional 8% failing in the third year of release.

**Figure 4: Failure Rates-Expiration of Sentence**  
**January 1999-December 2002**  
**Three Month Moving Average**



### Summary

The data show an overall one-year recidivism rate of 21% (2002 releases); a two-year failure rate of 35% (2001 releases); and a three-year failure rate of 42% (2000 releases). As stated in the original 2001 brief, the three-year failure rate is most commonly utilized. However, for purposes of comparison, recidivism rates over shorter time spans may be more useful because of the ease in compiling data.

Offense data was not included in the original 2001 brief, but was added in this research brief to enhance the examination. The most recent three-year failure rate (2000 releases) is:

◆ Person	32%	◆ Societal	41%
◆ Property	43%	◆ Other	38%

The following findings are consistent with the findings in the 2001 brief:

- ◆ Parolees fail at a higher rate than probationers, and probationers fail at a higher rate than felons who expire their sentences. But, probationers are failing at a rate almost identical to the rate of parolees. Parolees and probationers return on technical violations of the conditions of their release.
- ◆ There are very few differences in recidivism rates between releases from TDOC facilities and releases from local jails - with the exception of those who expire their sentences. However, it should be noted that those released from local jail tend to be in the form of younger drug and property offenders.

Finally, it is important to reiterate that this report does not point to factors that should be construed as causally related to a return to incarceration. It would be premature to infer such causation based on the data presented in this update. Looking at specific program areas, as well as, addressing a more in-depth analysis regarding the return of offenders to involvement in criminal behavior, and ultimately, state custody will be the focus of future research studies by PP&R.